

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KYONG S. EAGAN,

Plaintiff,

vs.

MEGA MOVING COMPANY,

Defendant.

Case No. 2:09-cv-01376-RCJ-PAL

**REPORT OF FINDINGS AND  
RECOMMENDATION**

This matter is before the court on Plaintiff's failure to file an Amended Complaint. On June 29, 2009, Plaintiff filed an Application to Proceed *In Forma Pauperis* (Dkt. #1). On August 12, 2009, the court entered an Order (Dkt. #3) screening Plaintiff's complaint pursuant to 28 U.S.C. § 1915 and finding that it failed to state a claim upon which relief could be granted. The court further directed that Plaintiff's Complaint be dismissed with thirty-day leave to amend, and warned Plaintiff that "Failure to comply with this Order will result in a recommendation to the District Judge that the Complaint be dismissed." Order at 3:23-24. To date, Plaintiff has not filed an Amended Complaint nor sought an extension of time in which to do so.

Accordingly,

**IT IS RECOMMENDED** that this case be dismissed with prejudice for failure to prosecute.

Dated this 21st day of September, 2009.

  
 PEGGY A. LEEN  
 UNITED STATES MAGISTRATE JUDGE